

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 97,195-P)**

<b>In the Application of:</b>	<b>Burg et al.</b>	)	
		)	
<b>Serial No.:</b>	<b>09/065,914</b>	)	<b>Examiner: TBA</b>
		)	
<b>Filed:</b>	<b>July 9, 2001</b>	)	<b>Art Unit: TBA</b>
		)	
<b>For:</b>	<b>NUCLEIC ACID ASSAYS</b>	)	

J1046 U.S. PTO  
09/901181  
07/09/01

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

**SIR:**

**Information Disclosure Statement**

This information disclosure statement is filed under 37 C.F.R. §§1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. §1.56.

U.S. Patent Numbers 5,712,385; 5,856,088; 5,908,744; 6,136,529; 5,766,849; 5,541,308; 5,747,252, 5,693,468; and 5,871,975 teach probes specific for HIV, Mycotuberculosis, Neisseria, and Chlamydia.

In the judgment of the undersigned, the references listed on the attached FORM PTO-1449 may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance of any portion of the references or as to the relative relevance as between references, whether cited in this statement or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §102 or §103.

Copies of the cited references are enclosed.

**US Patent Documents**

	Document Number	Date	Name	Class	Subclass	Filing Date
1	5,712,385	01/27/98	McDonough et al.	536	24.32	
2	5,856,088	01/05/99	McDonough et al.	435	5	
3	5,908,744	6/1/99	McAllister et al.	435	6	
4	6,136,529	10/24/00	Hammond	435	6	
5	5,766,849	6/16/98	McDonough et al.	435	6	
6	5,521,300	5/28/96	Shah et al.	536	24.32	
7	5,589,585	12/31/96	Mabilat et al.	536	24.32	
8	5,703,217	12/30/97	Mabilat et al.	536	23.1	
9	5,849,901	12/15/98	Mabilat et al.	536	23.7	
10	5,541,308	7/30/96	Hogan et al.	536	23.1	
11	5,747,252	5/5/98	Yang et al.	435	6	
12	5,217,862	6/16/98	McDonough et al.	435	6	
13	5,432,271	7/11/95	Barns et al.	536	24.32	
14	5,693,468	12/2/97	Hogan et al.	435	6	
15	5,871,975	2/16/99	Kacian et al.	435	91.2	
16	5,710,029	1/20/98	Ryder et al.	435	6	

**FOREIGN PATENT DOCUMENTS**

	Document Number	Date	Country
17	EP 0428693 B1		Europe
18	EP 0732408 A2		Europe

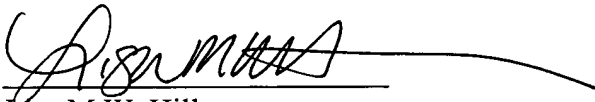
In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each

document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Respectfully submitted,

Dated: July 9, 2001

By:   
Lisa M.W. Hillman  
Reg. No. 43,673

McDonnell Boehnen Hulbert & Berghoff  
300 South Wacker Drive  
Chicago, IL 60606

Telephone: (312) 913-0001  
Facsimile: (312) 913-0002

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Atty. Docket No.  97,195-P	Serial No.  TBA
	Applicant: Burg	
	Filing Date: July 9, 2001	Group: TBA

J1045 U.S. PTO  
 09/901181  
 07/09/01

### U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date
	1.	5,712,385	01/27/98	McDonough et al.	536	24.32	
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### FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes No
	1.	EP 0428693 B1		Europe			
	2.	EP 0732408 A2		Europe			

### OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

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<b>Examiner</b>	<b>Date Considered</b>
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.